

POSUZOVÁNÍ VLIVŮ NA ŽIVOTNÍ PROSTŘEDÍ ČESKÝCH ROZVOJOVÝCH PROJEKTŮ

ENVIRONMENTAL IMPACT ESSESSMENT OF DEVELOPMENT PROJECTS OF THE CZECH REPUBLIC

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Anotace:

Tento článek se zabývá posuzováním dopadů na životní prostředí u rozvojových projektů České republiky. Popisuje proceduru posuzování dopadů na životní prostředí Kanadské mezinárodní rozvojové agentury, která má předchozí zkušenosti v této oblasti a slouží tak jako velice dobrý vzor. V závěru jsou navrženy doporučení pro integraci dopadů na životní prostředí do projektového cyklu České republiky.

Klíčová slova:

Posuzování dopadů na životní prostředí, CIDA, projektový cyklus, screening, scoping

Abstract:

This paper deals with the environmental impact assessment of the development project of the Czech Republic. It describes the procedure of environmental impact assessment of the Canadian International Development Agency (CIDA) that has previous experiences in that area and serves as a very good model. The conclusion contains the recommendations for the integration of environmental impact assessment to the project cycle of the Czech Republic.

Key words:

Environmental impact assessment, CIDA, project cycle, screening, scoping

INTRODUCTION

Environmental assessment is a valuable planning process for assessing how the impact of changes in the natural environment can affect quality of life. Destruction or degradation of natural resources can affect the health of individuals, their social and cultural well-being, and their economic sustainability. The mismanagement of natural resources can exacerbate poverty most severely in community groups that are already marginalized - the poor, women, children, and indigenous people, who often depend directly on the natural environment for their subsistence.¹

OBJECTIVE AND METHODOLOGY

This paper contains the results of a study elaborated during my traineeship at the *Development Center* of the Czech Republic. The Development Center is a part of the Ministry of Foreign Affairs and its main purpose is realization of foreign project cooperation of the Czech Republic. My traineeship was oriented on environmental impact assessment of development projects, on the procedures of environmental impact assessment and on the institutions or the organizations that have environmental impact assessment procedures in their project cycle.

¹ <http://www.acdi-cida.gc.ca/CIDAWEB/acdicida.nsf/En/JUD-12129440-KAK> (June, 2006)

The main purpose of the study was to create a *package of recommendations to integrate environmental impact assessment procedures to the project cycle of the Czech Republic*. Actually, the project cycle of the Czech Republic does not take into account this procedure. This paper summarizes the proposed set of recommendations. While working on the study I used and analyzed available literature and I interviewed the representatives of the Development Center (especially Michal Prochazka and Martin Naprstek) and the Department of Environmental Impact Assessment and IPPC of the Ministry of Environment. I also contacted the foreign development agencies but I did not have feedback from their part.

FINDINGS

RECCOMODATIONS TO ASSEMBLE THE METHODOLOGY FOR THE CZECH REPUBLIC

Identification of the need of environmental impact assessment

Methodology about the procedures of environmental impact assessment should be, regarding the complexity of this problem area, created by qualified *team of experts* from different areas such as the Ministry of Foreign Affairs, the Development Center, the Ministry of Environment and other ministries, from academic area and independent experts. The need of environmental impact assessment should be also identified in *strategic documents* of the Czech Republic. Creation of methodology of environmental impact assessment could be consulted with *foreign partners* that already have previous experience in that domain.

While creating the strategic documents and methodology, the Czech Republic could make use of the environmental procedures of foreign countries and of international and multilateral institutions.

CIDA (Canadian International Development Agency)

While assigning who will take the main responsibility for the environmental impact assessment, the Czech Republic could inspire with Canada that has previous experiences in the domain of the environmental impact assessment procedures.

Over the past 20 years, CIDA has been steadily sharpening its focus on the environment. This shift began with the introduction of environmental assessment for projects in the 1970s. Since 1992, CIDA's approach to the environment has been guided by *the Policy for Environmental Sustainability*. The Policy for Environmental Sustainability stipulates, in fact, that the environment must be addressed at an early stage in any endeavour. Branches now define objectives for environment sustainability in their strategic plans and social consideration.

Since 1984, the environment effects of Canadian government projects within Canada have been assessed through the federal *Environmental Assessment Review Process Guideline Order (EARPGO)*. EARPGO subjects all proposals to environmental review if they involve the federal government or require its approval.

In June 1990, Canada's Minister of Environment announced a package of environmental reforms designed to strengthen EARPGO. The reform package also includes the *Canadian Environmental Assessment Act (CEAA)* which sets out responsibilities and procedures for project assessment. In short, the government has pledged to review all policy and program proposals, and to assess all projects for which the federal government is a decision-making authority, proponent, land manager or funding agency.

CIDA consider the environment on three levels of their activities:

Policy level – applied to the intentions or commitments that direct action

Program Initiatives – applied to related sets of actions supporting policies

Project Initiatives – applied to single actions supporting policies, possibly as part of a program

Under CEAA, environmental assessment applies to CIDA activities, whether these activities are financed directly by CIDA or by CIDA in agreement with any other party (e.g. World Bank). In particular, assessment in other countries will be undertaken under a special procedural regulation for projects outside Canada to be developed under section S 59 (i) CEAA. The Agency has certain flexibility in conducting public consultation and reviews in affected communities. CIDA may undertake environmental assessment itself or require its development partners to undertake the environmental assessment which meet the requirements of CEAA.

Under CEAA, the Minister of Foreign Affairs is responsible to Parliament for CIDA's compliance with the requirements for environmental assessment, the day-to-day application of the law rests with program managers in the Agency's branches.

Project assessment will be applied by the multilateral, partnership and bilateral branches. Projects with a potentially significant environmental impact, or for which there is substantial public concern, are brought to the attention of the Minister of the Environment. Under CEAA, the results of every environmental assessment are made available to Canadians through a Public Registry of each project that is maintained by CIDA and the Canadian Environmental Assessment Agency.

CEAA proposed procedural regulation for projects outside Canada – eight guiding principles:

Projects outside Canada financially supported by the Government of Canada will be subject to CEAA.

Environmental assessment will be undertaken as early as possible in the decision-making process.

Responsible authorities will be given the flexibility they need to assess projects in foreign jurisdictions and in varying circumstances.

Assessment outside Canada will be conducted with respect for foreign sovereignty, international law, and international agreements and arrangements that Canada is party to.

Canada may be able to rely on the environment procedures of foreign states and international or multilateral institutions – when they meet the basic goals and objectives of CEAA.

Canada will encourage other countries to develop, improve and implement their domestic capacity for environmental assessment.

Procedures for public participation outside Canada will be modified to respect foreign sovereignty and local conditions.

Records of environmental assessment for CIDA - supported projects in countries outside of Canada will be made available to the Canadian public.

Some of these requirements could be applied in the conditions of the Czech republic.

Integration of environmental impact assessment to the Project Cycle

In the phase of *Programming*, it should be specified that all the development projects outside Czech Republic financially supported by the Government of Czech Republic will be subject to environmental impact assessment and that this assessment will be undertaken as early as possible in the decision-making process. Process of *Programming* of foreign cooperation should newly comprehend the information sources about the environment and about the studies in that area of each of the priority country of the Czech Republic.

In that stage, the documents from the interventions of bilateral and multilateral donors should be analyzed defining the strategies and reports from the evaluation of their programs and projects with the special attention on their procedures in the area of environmental impact assessment. To reach the goals in this area, chosen environmental indicators should be classified. The assessment outside Czech Republic should be conducted with respect for

foreign sovereignty, international law, and international agreements and arrangements that the Czech Republic is party to².

Screening corresponds to *identification process* of project cycle. Screening determines whether a project requires further environmental action. For many projects, screening will be followed by a desk study to identify the most appropriate environmental action. According to the results of screening, the project can be classified into the one of the following categories:

Category A – High environmental impact

Category B – Medium environmental impact and/or significant potential for environmental enhancement

Category C – Low environmental impact and no significant scope for opportunities for further environmental enhancement

If it is found out that the project could have environmental impacts, the scoping is the next step. The results of scoping are the identification of the most significant environmental problems of the project, schedule and scope of analysis, sources of expertise and the mitigation requirements. It is also necessary to specify the action plan and responsibilities. Responsible authorities will be given the flexibility they need to assess projects in foreign jurisdictions and in varying circumstances.

In the identification process for *priority countries* of the Czech Republic, it is the respective ministry that is responsible for the communication with local responsibility and for filling the form of identification of the development cooperation topics according to the Appendix 2 of the Project Cycle Manual of Foreign Development Cooperation of the Czech Republic (FDC CR). The respective ministry could encharge the Development Center for the communication and the filling of the form. In the conditions of the Czech Republic, responsibility for environmental impact assessment should be the respective ministry, alternatively the Development Center but only after the consultation with local responsibility in developing country.

In the case of identification of the development topics for *non-priority countries* of the Czech Republic, the basics are formed by the proposals of cooperation areas submitted by potential partner organization. Potential partners have to fill the form of the identification of development cooperation areas in non-priority countries that figure in Appendix 3 of Project Cycle Manual of FDC CR. This form contains the analysis of the risks and conditions. All these proposals evaluates the Development Center in cooperation with external experts. Currently, the above mentioned form does not cover the environmental impacts of the proposed projects. In that case the main responsibility for environmental impact assessment bears the partner institution in developing country but the Development Center in cooperation with external partners could consider, besides other criteria, also environmental aspects of the proposed projects.

Formulation corresponds to environmental impact assessment (EIA) or strategic environmental assessment (SEA). Main actor of formulation phase is identified partner in developing country. In the case of sufficient capacity, the cooperation project is formulated by the partner institution, so the main responsibility for environmental impact assessment should lie on the partner institution. However, the partner institution has to meet all the conditions that figure in the Appendix 5 of Project Cycle Manual of FDC CR.

² <http://www.acdi-cida.gc.ca/index-e.htm>

The outline of the project documents contains the analysis of risks and conditions that includes also the environmental impacts of the proposed project. If the identified partner organization does not have sufficient capacity for the formulation of the project, the expertise provided by the Czech side (respective ministry in cooperation with the Development Center, external experts – the Development Center or independent experts) plays an important role.

Environmental management and monitoring are the parts of *realization and monitoring* of the project cycle (for all the projects of A and B category). The key environmental tasks during project implementation are to ensure that recommendations for mitigating adverse environmental impacts are implemented and the potential benefits identified are achieved. These tasks must be undertaken by the responsible for overall management of this project phase. Usually, an environmental management plan is prepared as a part of the environmental assessment during project formulation and its implementation should be requested. The environmental monitoring should help to assess whether agreed mitigation measures are incorporated effectively in project design, whether these mitigation measures have the expected result and to assess the actual environmental impact of the project activities. For all projects in category A it is necessary to consult the environmental service to ensure an independent audit and effectiveness of the mitigation measures.

Environmental evaluation is a part of *overall evaluation* applied to the projects of A and B category. Evaluation should cover the projects' actual environmental impacts, the effectiveness of the environmental procedures and mitigation and management measures, and associate institutional development and training. The main responsibility for evaluation phase has the person responsible for the overall management of this projects. In carrying out this task, the responsible person can consult the environment service. For evaluation of the category A projects it is required an environmental expert.

While choosing the projects that will become the objects of evaluation, the project with high environmental impact (category A) should be considered. Currently, the Project Cycle Manual of FDC CR stipulates, that during evaluation, the project impacts on target groups and environment is analyzed.

The reports from environmental impact assessment of the development projects in countries outside Czech Republic should be available to the Czech public.

Terms of References crosscut all the phases of the project cycle.

Ensure enough information above the environment

It is recommended:

- Ensure the access to the information in the area of environment at national and regional level in the Czech Republic and developing countries.
- Compose and regularly update the environmental studies for each country (priority countries, other development countries, the Czech Republic).
- Create information base on the environmental information resources and on the studies in environmental area of each of the country including the Czech Republic (e.g. analysis of the conditions, institutions that influence the environment, national and regional program strategies).
- Make available the information on environmental impact assessment to the political analysts and to the project designers in developed and developing countries.
- Stipulate the standards of environmental data collection and central data register.
- Create a base of experts for environmental impact assessment.

Carry out training on environmental impact assessment of all the members of the Development Center and introduce them environmental indicators.

Set up a manual or materials on environmental impact assessment and ensure their sufficient distribution to the Development Center as well as to other organizations and institutions, ministries, NGO's, private societies involved in development projects and to external experts. Very important aspect is a fact that this manual should be comprehensive and useful for practical use i.e. for specific conditions of the Czech Republic and their development projects.

CONCLUSION

The actual Project Cycle of the Czech Republic is based on the Project Cycle of the European Commission. That is why the recommendations for the integration of environmental impact assessment to the Project Cycle of the Czech Republic are inspired mainly by the European Commission. While creating the methodology that corresponds with the conditions of the Czech Republic, there should be considered the best practices of EU, OECD and other donors, but it should be ensured the coherence among the donors, that mean to come out from the common rules of environmental impact assessment.

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